

Message Text

CONFIDENTIAL

PAGE 01 STATE 147324

61

ORIGIN SCS-03

INFO OCT-01 EUR-12 ISO-00 SCA-01 /017 R

DRAFTED BY SCA:SCS:AGISE:SAS

APPROVED BY SCA:SCS:AGISE

----- 015798

P 232203Z JUN 75

FM SECSTATE WASHDC

TO AMCONSUL MUNICH PRIORITY

C O N F I D E N T I A L STATE 147324

E.O. 11652:GDS

TAGS: CASC (ERVIN, EDWARD LORENZO)

SUBJECT: ERVIN REPATRIATION

REF: MUNICH 1198

FOLLOWING IS A REPEAT

QUOTE

P 041455Z SEP 69

FM AMCONSUL MUNICH

TO AMEMBASSY PRAGUE PRIORITY

INFO SECSTATE WASHDC PRIORITY

AMEMBASSY BONN

AMEMBASSY VIENNA

AMEMBASSY LONDON

CONFIDENTIAL MUNICH 552

REF: BONN'S 11527 (NOTAL, PRAGUE'S 2555 (NOTAL), STATE'S
143885 (NOTAL)

SUBJECT: ERVIN REPATRIATION

1. CONGEN HAS EXPLORED POSSIBILITY OF ERVIN'S ENTRY INTO
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 147324

FRG OVER CZECH BORDER. BAVARIAN BORDER AUTHORITIES STATE

THEY WOULD PROBABLY ACCEPT HIM IF REQUESTED BY CZECH AUTHORITIES TO DO SO. AS REPUTED AMERICAN WITH PERHAPS SHAKY DOCUMENTATION, BAVARIAN BORDER AUTHORITIES WOULD ORDINARILY THEN TURN HIM OVER TO US MILITARY WHO, IN PAST INSTANCES, HAVE SIMPLY TRANSPORTED NON-MILITARY AMERICAN CITIZENS OR PERSONS CLAIMING TO BE AMERICANS AND DUMPED THEM ON CONGEN IN MUNICH. IF, ON OTHER HAND, WE CAN PROVIDE BORDER AUTHORITIES ADVANCE INFORMATION AS TO CRIMINAL ACTS OF SUBJECT, BORDER AUTHORITIES WOULD CUSTOMARILY ARREST SUBJECT AND DETAIN PENDING ONWARD MOVEMENT (REPATRIATION, EXPULSION, ETC.) THUS, AS FAR AS CONGEN CAN JUDGE, GERMANS LIKELY ACCEPT ERVIN AT BORDER, SHOULD CZECHS CHOOSE EXPEL HIM. FYI CONGEN ALSO BELIEVES CZECHS MIGHT CHOOSE AUSTRIAN BORDER TO EXPEL ERVIN WHICH MIGHT BE SOMEWHAT LESS DIFFICULT FOR THEM. END FYI

2. CONGEN HAS GIVEN ONLY ESSENTIAL INFORMATION TO BORDER AUTHORITIES UP TILL NOW, PRIMARILY TO ALERT THEM IN ADVANCE OF PRECIPITATE ACTION BY THE CZECHS. EMBASSY PRAGUE SHOULD INFORM CONGEN ON URGENT BASIS IF EMBASSY SHOULD LEARN EXPULSION BY CZECHS IMMINENT. AT THAT TIME, CONGEN WILL INFORM BORDER AUTHORITIES OF ERVIN'S BACKGROUND, WHICH WOULD PROBABLY BE ENOUGH FOR BORDER AUTHORITIES TO ARREST ERVIN (AIR PIRACY AND KIDNAPPING REPORTEDLY ALSO CRIMINAL OFFENSES UNDER GERMAN LAW) AND KEEP IN SECURITY DETENTION. EMBASSY PRAGUE REQUESTED TO INFORM CONGEN IF IT IS DESIRED TO OBTAIN FIRM ADVANCE COMMITMENT OF WILLINGNESS BORDER AUTHORITIES TO ACCEPT ERVIN AT BORDER.

3. CONGEN WILL APPRECIATE INFORMATION WHETHER ERVIN'S INDICTMENT IN US COURTS CONSTITUTES OFFENSE FALLING WITHIN PROVISIONS OF EXTRADITION AGREEMENT OR UNDERSTANDING BETWEEN US AND FRG. EXTRADITION OR POSSIBILITY THERE OF WOULD BE ACCEPTED BY GERMAN AUTHORITIES AS GROUNDS TO PROHIBIT GRANTING OF ASYLUM, POLITICAL, OR OTHERWISE, TO ERVIN.

4. WOULD IT BE POSSIBLE FOR US MARSHALS PREVIOUSLY SCHEDULED TO ASSUME SERVEILLANCE IN LONDON (STATE'S CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 147324

143885) TO ACT IN SIMILAR CAPACITY IN FRG? IF NOT, COULD ALTERNATIVE PROCEDURES BE WORKED OUT? US MILITARY AUTHORITIES WILL PROBABLY CONSIDER THEY HAVE NO JURISDICTION IN

THIS PROBLEM, ALTHOUGH SOME ASSISTANCE MIGHT BE FORTHCOMING SUCH AS MEDICAL OR AIR EVACUATION. GERMANS WILL LIKELY ASK FOR ADVANCE ASSURANCES US GOVERNMENT WILL ASSUME RESPONSIBILITY FOR FURTHER MOVEMENT OUT OF GERMANY.

5. CONGEN ASSUMES ERVIN HAS AND WILL HAVE ON OFFICIAL DOCUMENTATION OTHER THAN CUBAN TRAVEL DOCUMENT IF AND WHEN HE IS EXPELLED. CONGEN WOULD APPRECIATE KNOWING WHO PRESENTLY HAS US TRAVEL DOCUMENT MENTIONED IN STATE'S 143885 AND HOW IT IS PROPOSED TO DELIVER TO CONGEN IF NECESSARY FOR ERVIN'S POSSIBLE DEPARTURE GERMANY.

6. SINCE EXPULSION TO AUSTRIA CANNOT BE EXCLUDED, CONGEN SUGGESTS ALL PREVIOUS MESSAGES BE REPEATED EMBASSY VIENNA.

GP-3

BYRD UNQUOTE INGERSOLL

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 23 JUN 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: CunninFX
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE147324
Document Source: CORE
Document Unique ID: 00
Drafter: SCS:AGISE:SAS
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750218-0342
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750623/aaaaaviw.tel
Line Count: 127
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN SCS
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 75 MUNICH 1198
Review Action: RELEASED, APPROVED
Review Authority: CunninFX
Review Comment: n/a
Review Content Flags:
Review Date: 10 APR 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <10 APR 2003 by ShawDG>; APPROVED <22 SEP 2003 by CunninFX>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: ERVIN REPATRIATION
TAGS: CASC, (ERVIN, EDWARD LORENZO)
To: MUNICH
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006